

Appl. No. 10/709,937
Amdt. dated March 02, 2006
Reply to Office action of February 3, 2006

REMARKS/ARGUMENTS

1. Rejection of claims 1-2, 6, and 11-16 under 35 U.S.C. 103(a):

Claims 1-2, 6, and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendrickson et al (US 6,754,470, hereinafter Hendrickson) in view of Liao et al (US 6,717,915, hereinafter Liao).

5

Response:

The applicant would like to point out the patentable differences between claims 1 and 13-16 of the instant application and the cited prior art.

10

Claim 1 recites "controlling a user interface of the cellular phone according to the statistics and the time counted by the clock". On page 2 of the above indicated office action, the Examiner states that Hendrickson does not disclose "controlling a user interface of the cellular phone according to the statistics and the time counted by the clock". Instead, the examiner cites Liao for teaching this limitation. However, Liao merely teaches in column 4 line 61 to column 5 line 3 that a server records various timing values and statistics of mobile devices, uses these statistics to calculate network performance of the mobile devices, and generates a new set of timing parameters to be sent to the phone if necessary. By doing so, the server is able to control the network timing and network performance of the mobile devices.

15

20

25

Although Liao teaches that the server controls network timing of the mobile devices, Liao does not specifically teach controlling the user interface of a cellular phone according to the gathered statistics. Liao only teaches setting network parameters, and does not actually alter the user interface of the phone. Therefore, the combination of Hendrickson and Liao fails to teach the limitation of "controlling a user interface of the cellular phone according to the statistics and the time counted

Appl. No. 10/709,937
Amdt. dated March 02, 2006
Reply to Office action of February 3, 2006

by the clock", as is cited in claim 1. For these reasons, the applicant submits that claim 1 is patentably distinguished from the cited prior art.

Regarding claims 13-16, each of these four claims recite different ways of controlling the user interface of the cellular phone. On page 4 of the above indicated office action, the Examiner relies on Hendrickson for teaching these four ways of controlling the user interface. However, as the examiner previously stated on page 2 of the above indicated office action, "Hendrickson et al do not disclose (c) controlling a user interface of the cellular phone according to the statistics and the time counted by the clock". Therefore, it does not follow that Hendrickson teaches the four different ways of controlling the user interface recited in claims 13-16 if Hendrickson does not teach controlling the user interface at all. Thus, claims 13-16 are patentably distinguished from the combination of Hendrickson and Liao. In addition, claims 2-16 are dependent on claim 1, and should be allowed if claim 1 is allowed. Reconsideration of claims 1-16 is respectfully requested.

In view of the above arguments in favor of patentability, the applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Appl. No. 10/709,937
Amdt. dated March 02, 2006
Reply to Office action of February 3, 2006

Sincerely yours,

Winston Hsu

Date: 03/02/2006

5 Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506, Merrifield, VA 22116, U.S.A.
Voice Mail: 302-729-1562
Facsimile: 806-498-6673
e-mail : winstonhsu@naipo.com

10

Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan.)